



MONTANA STATE PRISON CORRESPONDENCE, PUBLICATIONS, & PACKAGES PROCEDURES

PURPOSE

To allow inmates to correspond with outside persons or organizations, receive publications, and mail out packages subject to limitations necessary to maintain facility order, security, rehabilitation, and sanitation. Correspondence is encouraged subject to constraints.

Correspondence

General Regulations

- Correspondence is prohibited between MSP inmates and:
 - 1) Any individual under correctional supervision (facility or community), unless the persons are members of the same immediate family and they have prior written approval of the Warden or designee from both facilities and/or programs.
 - 2) Current or former DOC or contract facility employees or volunteers, without prior written approval of the Warden. Correspondence from inmates under community supervision to staff is allowed only if it is related to re-entry programs, current job status, etc. This mail will be read for content.
 - 3) Anyone who advises the facility in writing that they do not wish to receive mail from a particular inmate, and the inmate has received a written directive from the Warden or designee to stop all contact.
- Inmates are not allowed to send, receive, transfer, or possess mail to or from the victim(s) of their crimes unless they have written authorization from the Warden or designee.
- All outgoing inmate correspondence and packages will display a complete return address, including "Montana State Prison, 700 Conley Lake Road, Deer Lodge, MT 59722" and the inmate's name and identification number. For contract facilities, the appropriate facility name and address will be displayed.
- Incoming inmate correspondence and publications that don't include the inmate's complete first and last name and identification number will be returned to the sending party without notice to the inmate.
- Incoming correspondence with markings, drawings, or acronyms on the envelope or its contents will be returned to the sending party without notice to the inmate.
- All general correspondence, incoming and outgoing, may be opened, read, and/or photocopied, and will be inspected / examined for contraband. Currency, unauthorized enclosures, and contraband found will be confiscated, returned to sender, or handled as undeliverable.
- Inmates are not allowed to direct or conduct business operations through the mail, except as necessary to protect real property or close out a business. Limited correspondence concerning hobby contracts is allowed.
- The delivery of mail through a DOC/MSP staff member, volunteer, or any other person who is not authorized to perform functions related to the established mail-handling system is prohibited.
- Any incoming mail items that contain sensitive information or documents that may be inappropriate for an inmate to have in his possession (e.g. marriage license, birth certificate, social security number, vehicle title, etc.) may be held in the inmate's main file, or other designated location, for delivery to the inmate upon his release.
- First-class letters will be forwarded until an inmate's release, upon which all general correspondence will be returned to the sender.

- Magazines and newspapers will be forwarded for 90 days only.
- Inmates have the responsibility to notify others of any change in their address.
- Inmates may not receive taped or other electronic correspondence without prior written approval from the Security Major.
- Mail ordered pen pals are not authorized.

Legal Correspondence

- Incoming Legal Correspondence
 - 1) No person who is on the inmate's approved visiting list will be allowed to send or receive mail designated as legal correspondence; if they do, it will be handled as general correspondence.
 - 2) Mail from an attorney's office must include the name and the complete name and address of the law firm.
 - 3) Mail from a court of law must clearly indicate on the envelope it is from one of these sources.
 - 4) To be processed as legal correspondence, incoming correspondence must:
 - a) Clearly indicate the official status of the sender and have the term "Legal Mail" on the front of the envelope. The return address may be indicative of whether the contents of the envelope constitute legal correspondence, however staff will not rely solely on the words "Legal Mail" being written or stamped on the envelope in determining it is legal correspondence.
 - b) Have a return address from an attorney or court of law. Mail that is marked as legal mail, that does not have the return address from an attorney or court of law, may be opened for inspection by staff as general correspondence.
 - 5) Mail determined to be legal correspondence will be routed to the appropriate inmate's housing unit or other designated location. Staff will open the legal correspondence in the presence of the inmate. Staff will inspect the envelope and enclosed paperwork for contraband items and scan (not read) the enclosed paperwork to determine it is of a legal nature.
 - a) If the content of the enclosed paperwork is of a legal nature they will stamp it as legal and have the inmate initial the stamp indicating it was opened in his presence. The staff member will also print their name and initial in the stamp area.
 - b) If the content of the enclosed paperwork is not of a legal nature, the staff member will seize it, write an incident report to document the reason for the seizure, and forward the correspondence and report to the Security Major for follow-up.
 - c) If there is reasonable suspicion a piece of mail contains contraband, the Security Major may authorize legal correspondence to be opened in a secure area outside the housing unit with the inmate present.
 - d) Currency, unauthorized enclosures, and contraband found will be confiscated, returned to sender, or handled as undeliverable.
 - 6) Incoming legal correspondence will not be read by staff.
 - 7) Generally, incoming legal correspondence may be held for no more than 24 hours to allow for verification of the sender's status, excluding weekends and holidays or emergency situations.

General Correspondence

- Outgoing General Correspondence:
 - 1) All outgoing general correspondence must be left unsealed and may be read by MSP staff. If it contains contraband or prohibited information it will not be mailed out.
 - 2) Inmates are only allowed to send money to those persons on their approved visiting list.

➤ Incoming General Correspondence:

- 1) Must have the sender's name and return address on the front of the envelope and be addressed to the inmate using only his committed first and last name and DOC identification number. The mail will be disposed of if:
 - a) It has no return address.
 - b) It has incomplete name and return address.
 - c) The sender cannot be identified.
- 2) First class mail addressed to an inmate or inmate group in care of a staff member or department:
 - a) Must clearly state the inmate's name and identification number.
 - b) Will be opened and inspected for contraband.
 - c) May be read for any reason.
- 3) Incoming correspondence will be held, may be considered undeliverable, and may be investigated if it contains prohibited images, items, or writings, including, but not limited to, the following:
 - a) Threats of physical harm against any person or threats of participation in criminal activity.
 - b) Blackmail or extortion.
 - c) Contraband.
 - d) Mail with metal bindings other than staples, including paper clips, binder clips and other metal fasteners. These items may be returned to sender or mailroom staff will remove them and forward the mail to the inmate.
 - e) Plans to escape or assist another to escape.
 - f) Plans for activities in violation of facility rules (such as riots).
 - g) Material, drawings, or photographs which promotes sexual arousal or activity including pinup type pictures and those of partially clad females wearing thongs.
 - h) A document or any text that is in code or a foreign language with correspondence that is in English.
 - Correspondence completely in a foreign language, or that contains a few foreign words scattered throughout, may be delayed up to an additional 20 working days to facilitate translation and review of contents for compliance with this procedure.
 - If translation will delay the normal delivery of the correspondence, the inmate will be notified.
 - If attempts to translate are unsuccessful within the 20 days the correspondence will be treated as undeliverable.
 - i) Drugs or drug paraphernalia.
 - j) Bodily fluids.
 - k) Other material, which if communicated, could:
 - Threaten or be detrimental to the security, safety, health, good order or discipline of the facility.
 - Threaten or be detrimental to the inmate rehabilitation process.
 - Facilitate criminal activity.
 - Create tension within the facility because it advocates separation of or violence between, or is derogatory towards, any group or individual within the facility.
 - Create a clear and present danger of violence or physical harm to a human being.
 - l) Any violation of a U.S. Postal Service regulation, law, or policy.

- m) Any attempt by a correspondent to use the mail system to facilitate inmate to inmate communication, including but not limited to sending mail to an addressee to be given to another. All incoming or outgoing mail to or from an inmate may contain only mail for the inmate whose name is on the envelope or package. Letters or correspondence to or from other inmates or parties to be forwarded is prohibited. Authorized correspondence may not include letters or messages to be passed on or mailed by the recipient to another person or inmate.
 - n) Attachment(s) such as decorative ink stamps, stickers, ink markings, lip impressions, perfumes, or powders glued, taped or otherwise affixed to envelopes or their contents. Only the cancelled postage stamp, address label, and return address stamp (if used) are allowed, and must be affixed to the front of the envelope or package.
 - o) Postage stamps, stamped envelopes, blank stationary, blank writing paper, blank cards, or blank postcards. Items of this nature in general correspondence will be disposed of by the mail room and the remaining mail will be routed to the inmate. Self-addressed envelopes from an authorized state agency or legal entity will be routed to the inmate with his mail only if there is no postage stamp or the postage stamp is of an electronic or pre-paid nature.
 - p) Scans or pictures of an inmate's finished hobby craft artwork or other hobby items as determined by staff review.
- 4) All printed material enclosures are subject to the review process. The only enclosures allowed in general correspondence mail envelopes are:
- a) Written correspondence.
 - b) Photocopies of newspaper and magazine articles (clippings are not allowed).
 - c) Copies of forms, informational or reading material from the internet. **Note:** Photocopies or items printed from the internet under the "fair use of copyrighted work" is not a infringement of copyright laws if the items are used for the purposes of criticism, comment, news reporting, teaching, scholarship, or research.
 - d) Small pamphlets.
 - e) Photocopies and carbon copies no larger than 8.5" by 11".
 - f) Business cards.
 - g) Photographs
 - Polaroid type photographs or instant photographs with layers are not allowed.
 - Photographs that will not fit on a page (7" by 10") in the approved/authorized photo album sold by Canteen will not be allowed.
 - h) Greeting cards
 - Limit of one per envelope.
 - Maximum size limit 8" by 10".
 - Single fold, plain, unembellished (no padded, laminated, glittered, musical, 3D, pop up, etc.).
- 5) Any immediate family member (mother, father, brother, sister, wife, child, grandparent or stepparent) who is listed on the inmate's approved visiting list may send funds in to an inmate. Funds may be mailed in with correspondence, but they must be in the form of a U.S. Postal money order that meets the following requirements, or they will be returned to the sender:
- a) Must be received within 20 days of the date of purchase.
 - b) Must include the full name that the inmate is incarcerated under and his identification number.

- c) Must include the complete, printed, legible name and address of the sender (for comparison with the approved visiting list).
- d) The envelope the money order arrives in must be postmarked from the immediate area of the approved sender's listed residence is located.
- e) If the sender cancels a money order after it has been received at MSP the U.S. Postal authorities will be notified.

Funds may also be deposited into an inmate's account by authorized senders through an electronic funds transfer process that is established and authorized by the Department of Corrections.

Any funds that are not approved will be returned to the sender.

Publications (books, magazines, newspapers, etc.)

- 1. Books
 - a. Inmates are allowed to purchase new books for themselves. Immediate family members on an inmate's approved visiting list may not order books, but are allowed to deposit money in the inmate's prison account for the purchase of a book (*see section above*).
- 3. Magazines, newspapers, or other printed publications.
 - a. Magazines
 - 1) Magazines in foreign language will not be allowed.
 - 2) A list of disapproved magazines will be maintained that will name the magazines that will not be delivered when they arrive at the facility. The inclusion of a magazine to this list will be based upon a number of variables including whether or not a magazine generally contains or has nudity as its main theme, contains prohibited images or writings, promotes tattooing or body piercing, focuses on weapons or explosives, contains other images or material that, by their nature or content depict or facilitate criminal activity or gang activity, or is detrimental to or poses a threat to the discipline, security, or order of the institution.
 - 2) The restricted magazines list is maintained at MSP and distributed to the wardens of the adult secure care contract facilities.
 - 3) Staff will process disapproved magazines as undeliverable.
 - The decision to exclude a magazine for delivery to an inmate will be in writing to the inmate.
 - The inmate may appeal the decision to exclude the magazine for delivery through the inmate grievance process.
 - 4) Magazines not on the restricted list and containing appropriate material will be delivered to the inmate.
 - b. Newspapers

Newspapers in foreign language will not be allowed.

Newspaper subscriptions will be allowed as long as they contain appropriate content, are properly addressed to the inmate, and are sent directly from the newspaper publisher. Newspaper subscriptions may be made only by the inmate or a person on the inmate's approved visiting list.
 - c. Other Publications

Publications that aren't books, magazines, or newspapers will be reviewed on a case by case basis, and will be considered as undeliverable mail unless approved in advance through a process developed by the facility.

Packages

- Members of the public are only allowed to correspond with inmates, but are not allowed to send packages to inmates.
- An inmate may ship packages to a person on his approved visiting list, and must pay for all shipping expenses. If the inmate does not have anyone on his approved visiting list he may receive permission to ship a package(s) to another person.
- With prior written approval of the Security Major or designee, a visitor may pick up outgoing packages while at the facility for an authorized visit.

Undeliverable Mail and Publications

1. If an inmate refuses to inform staff of what he wants done with undeliverable items, the correspondence will be returned to the sender at the inmate's expense.
2. When an individual or vendor sends contraband to MSP, the Warden or designee may place restrictions on mail, publications, and or packages that arrive at MSP from these individuals or vendors. During the restriction, all items and mail that arrives at MSP from these individuals or vendors will be processed as undeliverable.
 - a. The Warden or designee will send written notice to the restricted individual or vendor concerning the restriction.
 - b. The Warden or designee may rescind a restriction upon written application for lifting of the restriction from the restricted party.
 - c. If the contraband is sent by a person on any inmate's current approved visitor list, that person's visiting privileges will be restricted.